

**AMY B. VANDEVELD**  
ATTORNEY AT LAW

**LAW OFFICES OF AMY B. VANDEVELD**

1850 Fifth Avenue, Suite 22

San Diego, California 92101

Telephone: (619) 231-8883

Facsimile: (619) 231-8329

January 23, 2004

**Via Facsimile (619) 744-6814**

Robert A. O'Connell, Esq.  
BROWNWOOD, CHAZEN & CANNON  
525 B Street, Suite 1300  
San Diego, CA 92101

Re: Spikes v. Mulkins  
USDC No. 02 cv 342 L (POR)

Dear Mr. O'Connell:

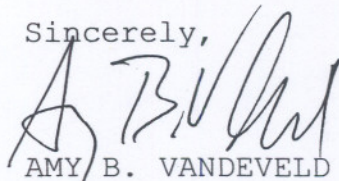
Pursuant to our Settlement Agreement, your client was to install accessible parking and an accessible ramp, in compliance with the ADAAG and Title 24.

It has come to my attention that the accessible space and ramp do not comply. I enclose copies of photos taken of the space and ramp. As you can see, the space is not properly striped, there is no access aisle, and the surface of the space and access aisle area is excessively sloped.

There is a significant change in elevation from the top of the ramp to the adjoining ground surface.

Please have your client correct these problems immediately and provide me with photographs confirming the corrections. I would like to avoid filing an action to enforce the agreement, if possible. Please respond no later than February 15, 2004 in order to avoid a motion to enforce. Thank you.

Sincerely,

  
AMY B. VANDEVELD



Tort Defense

RANDALL L. BROWNWOOD  
MICHAEL B. EDDY  
ROBERT A. O'CONNELL  
EDWARD C. MEARA  
MARVIN J. STRAUS

Subrogation

CHARLES A. LONGO  
ROBERT R. LUSTER  
SHERRY SANTA CRUZ  
ERNEST J. TIGANO  
JANINE VANCHO

BROWNWOOD  
CHAZEN & CANNON

Attorneys at Law  
525 "B" Street, Suite 1300  
San Diego, California 92101  
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Fax (619) 744-6814

A Legal Division of the Liberty Mutual Group

Construction Defect

CATHERINE M. CANNON  
JAMES L. CLARK, III  
DAVID E. HAUSFELD  
AMY J. WALLACE  
CHRISTOPHER C. PIERSON

Workers' Compensation

AVERY G. CHAZEN\*  
JOYCE L. BARON  
AMY M. MARRON

\*CERTIFIED SPECIALIST  
WORKERS' COMPENSATION LAW  
STATE BAR OF CALIFORNIA  
BOARD OF LEGAL SPECIALIZATION

January 29, 2004

Amy B. Vandeveld, Esq.  
**Law Offices of Amy B. Vandeveld**  
1850 Fifth Avenue  
San Diego, California 92101

Via Facsimile & U.S. Mail

Re: **Karel Spikes vs. Robert C. Mulkins, et al.**  
US District Court Case No: 02cv342 L(POR)  
Our Clients: Robert Mulkins and Adrea Mulkins  
Our File No: 50069

Dear Ms. Vandeveld:

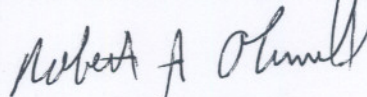
We are in receipt of your January 23, 2004, letter.

Please be advised that we are looking into the contentions asserted in your letter and accordingly we would request that you refrain from filing any action with the court until we have had an opportunity to investigate the content of your letter.

Your anticipated cooperation is greatly appreciated. Should you have any questions or concerns, or wish to discuss the matter further, please do not hesitate to contact me.

Very truly yours,

BROWNWOOD, CHAZEN & CANNON



ROBERT A. O'CONNELL

RAO:pv

Exhibit

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Tort Defense

RANDALL L. BROWNWOOD  
MICHAEL B. EDDY  
ROBERT A. O'CONNELL  
EDWARD C. MEARA  
MARVIN J. STRAUS

Subrogation

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JOYCE L. BARON  
AMOS GALAM

\*CERTIFIED SPECIALIST  
WORKERS' COMPENSATION LAW  
STATE BAR OF CALIFORNIA  
BOARD OF LEGAL SPECIALIZATION

February 12, 2004

Amy B. Vandeveld, Esq.  
Law Offices of Amy B. Vandeveld  
1850 Fifth Avenue  
San Diego, California 92101

Via Facsimile & U.S. Mail

Re: Karel Spikes vs. Robert C. Mulkins, et al.  
US District Court Case No: 02cv342 L(POR)  
Our Clients: Robert Mulkins and Adrea Mulkins  
Our File No: 50069

Dear Ms. Vandeveld:

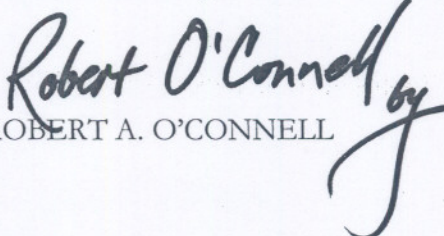
Further to my January 29, 2004, letter, please be advised that the issues raised by your January 24, 2004, letter have been investigated. Please be advised that additional and revised remediations will be performed at the 3351- 3355 Adams Avenue parking lot to finalize the work consistent with our settlement agreement.

We would again request that you refrain from filing any action with the court until we have had an opportunity to finalize the performance of this work.

Your anticipated cooperation is greatly appreciated. Should you have any questions or concerns, or wish to discuss the matter further, please do not hesitate to contact me.

Very truly yours,

BROWNWOOD, CHAZEN & CANNON

  
ROBERT A. O'CONNELL

Exhibit

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**AMY B. VANDEVELD**

ATTORNEY AT LAW

**LAW OFFICES OF AMY B. VANDEVELD**

1850 Fifth Avenue, Suite 22

San Diego, California 92101

Telephone: (619) 231-8883

Facsimile: (619) 231-8329

February 19, 2004

**FOR SETTLEMENT PURPOSES ONLY**  
**- PRIVILEGED AND CONFIDENTIAL**

**Via Facsimile (619) 631-6444**

Freddy A. Garmo, Esq.

GARMO &amp; GARMO LLP

124 West Main Street, Suite 200

El Cajon, CA 92020

**Via Facsimile (213) 624-4840**

James R. Evans, Jr., Esq.

HILL, FARRER &amp; BURELL, LLP

300 South Grand Avenue

Los Angeles, CA 90071

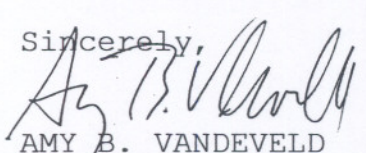
Re: Spikes v. San Altos Liquor, et al.  
USDC No. 03cv1951 J (JFS)

Dear Mr. Garmo and Mr. Evans:

My client has re-visited the site and advises that the accessible parking spaces are constructed incorrectly. The access aisles are required to be on the passenger side. Please request that your clients perform the necessary modifications to avoid a motion to enforce the settlement agreement.

Thank you.

Sincerely,

  
AMY B. VANDEVELD

cc: Karel Spikes



**AMY B. VANDEVELD**

ATTORNEY AT LAW

**LAW OFFICES OF AMY B. VANDEVELD**

1850 Fifth Avenue, Suite 22

San Diego, California 92101

Telephone: (619) 231-8883

Facsimile: (619) 231-8329

July 15, 2005

FOR SETTLEMENT PURPOSES ONLY  
- PRIVILEGED

*Via Facsimile (619) 237-1802*

Gary Brenner, Esq.

ATTORNEY AT LAW

110 West C Street, Suite 1905

San Diego, CA 92101

Re: Spikes v. Murphy's Market  
USDC No. 04 cv 2159 IEG (POR)

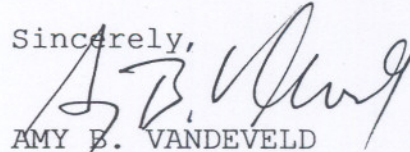
Dear Mr. Brenner:

Pursuant to our Settlement Agreement, your client was required to complete modifications to the property no later than April 30, 2005. To date, the barriers at the property have not been removed.

Please have your client complete the modifications immediately and provide me with photos of the modifications no later than August 1, 2005 to avoid a motion to enforce the Agreement. If I am forced to file the motion, my client will seek fees and costs associated with the enforcement action.

I look forward to hearing from you.

Sincerely,

  
AMY B. VANDEVELD

cc: Karel Spikes



## GARY BRENNER

ATTORNEY AT LAW

SUITE 1905

110 WEST C STREET

SAN DIEGO, CALIFORNIA 92101

E-MAIL: garybrenner@cts.com

TELEPHONE  
(619) 237-8899FACSIMILE  
(619) 237-1802

August 3, 2005

Amy B. Vandeveld, Esq.  
Attorney at Law  
1850 Fifth Avenue, Suite 22  
San Diego, CA 92101


Re: Spikes v. Kassab/Murphy's Market

Dear Ms. Vandeveld:

Enclosed are photographs of Murphy's Market which show compliance regarding the issues that were addressed in the lawsuit.

If you have any questions or comments regarding the contents of this letter or the enclosure, please contact me at your convenience.

Very truly yours,

  
Gary BrennerGB/ko  
Enclosure

Exhibit

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**AMY B. VANDEVELD**

ATTORNEY AT LAW

**LAW OFFICES OF AMY B. VANDEVELD**

1850 Fifth Avenue, Suite 22

San Diego, California 92101

Telephone: (619) 231-8883

Facsimile: (619) 231-8329

August 5, 2005

FOR SETTLEMENT PURPOSES ONLY  
- PRIVILEGED

*Via Facsimile (619) 237-1802*

Gary Brenner, Esq.

ATTORNEY AT LAW

110 West C Street, Suite 1905

San Diego, CA 92101

Re: Spikes v. Murphy's Market  
USDC No. 04 cv 2159 IEG (POR)

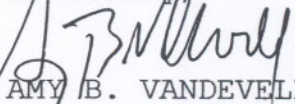
Dear Mr. Brenner:

Thank you for the photos and your letter of August 3, 2005. I have some concerns. The ADAAG requires that the accessible parking sign be visible over a parked car. The one installed is too low.

Also, I cannot tell the width of the access aisle from the photos. Is it 8 feet wide? Is the parking space 9 feet wide? These are the required dimensions. The other modifications are acceptable.

I look forward to hearing from you.

Sincerely,

  
AMY B. VANDEVELD



**AMY B. VANDEVELD**  
ATTORNEY AT LAW

**LAW OFFICES OF AMY B. VANDEVELD**  
1850 Fifth Avenue, Suite 22  
San Diego, California 92101  
Telephone: (619) 231-8883  
Facsimile: (619) 231-8329

March 7, 2007

**Via Facsimile (619) 237-1802**

Gary Brenner, Esq.  
ATTORNEY AT LAW  
110 West C Street, Suite 1905  
San Diego, CA 92101

Re: Spikes v. Murphy's Market  
USDC No. 04 cv 2159 IEG (POR)

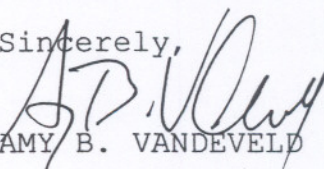
Dear Mr. Brenner:

My client re-visited the property at issue in this case and discovered that your client has failed to comply with the Settlement Agreement. The "accessible" parking space provided by your client has no access aisle and is not properly located.

Please have your client comply with the Settlement Agreement immediately in order to avoid an enforcement action. We will require photographs of the modifications to ensure they are performed correctly.

I look forward to hearing from you.

Sincerely,

  
AMY B. VANDEVELD

cc: Karel Spikes